IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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FRANK BARTELL, <u>ET AL.</u> ,	: : CIVIL ACTION
Plaintiffs,	· :
v.	: : No. 2:19-cv-6056
COMMUNITY COLLEGE OF PHILADELPHIA, <u>ET AL.</u> ,	: : :
Defendants.	: : :
CAROL STEIN, <u>ET AL.</u> ,	: : CIVIL ACTION
Plaintiffs,	· :
v.	: : No. 2:19-cv-6057
COMMUNITY COLLEGE OF PHILADELPHIA, <u>ET AL.</u> ,	: : :
Defendants.	: :
MARGARET STEPHENS, <u>ET AL.</u> ,	: CIVIL ACTION
Plaintiffs,	: : :
v.	: No. 2:20-cv-1659
COMMUNITY COLLEGE OF PHILADELPHIA, <u>ET AL.</u> ,	: : :
Defendants.	: : :

THOMAS J. QUINN, :

: CIVIL ACTION

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Plaintiff,

:

v. : No. 2:20-cv-1666

:

COMMUNITY COLLEGE OF PHILADELPHIA, ET AL.,

:

Defendants.

ORDER

AND NOW, this 24th day of February, 2022, upon consideration of the Motions to Dismiss Plaintiffs' Amended Complaints by Defendants' Community College of Philadelphia (the "College") and the ten John and Jane Does (Dkt. 19-6056, Doc. No. 24; Dkt. 19-6057, Doc. No. 23; Dkt. 20-1659, Doc. No. 21; and Dkt. 20-1666, Doc. No. 22), Plaintiffs' Memorandum in Opposition (Dkt. 19-6056, Doc. No. 25; Dkt. 19-6057, Doc. No. 24; Dkt. 20-1659, Doc. No. 22; and Dkt. 20-1666, Doc. No. 23), and Defendants' reply (Dkt. 19-6056, Doc. No. 28; Dkt. 19-6057, Doc. No. 27; Dkt. 20-1659, Doc. No. 25; and Dkt. 20-1666, Doc. No. 26), it is hereby **ORDERED** that Defendants' Motions to Dismiss are **GRANTED** in part and **DENIED** in part. The Motions are **GRANTED** as follows:

- Plaintiffs' PHRA claim (Count III) against the John and Jane Doe Defendants is
 DISMISSED with prejudice. The Clerk of Court is directed to TERMINATE the
 John and Jane Does as defendants from this matter.
- Plaintiff Bartell's Americans with Disabilities Act disability discrimination and failure
 to accommodate claims (Count IV of the <u>Bartell</u> Complaint) are **DISMISSED with**prejudice.

It is **FURTHER ORDERED** that Defendants' Motions are **DENIED** as to Plaintiffs' Age Discrimination in Employment Act ("ADEA") and Pennsylvania Human Relations Act ("PHRA") age discrimination claims based on disparate treatment against the College (Counts I and III).

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.